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8 IN THE UNITED STATES DISTRICT COURT FOR THE  
9 EASTERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13 APPROXIMATELY \$22,000.00 IN U.S.  
14 CURRENCY,

15 APPROXIMATELY \$4,248 IN U.S.  
16 CURRENCY WITH POTENTIAL  
COLLECTOR VALUE, and

17 MISCELLANEOUS JEWELRY AND  
STONES,

18 Defendants.

MISC-S-04-0339 FCD KJM

**STIPULATION AND ORDER  
EXTENDING THE UNITED STATES'  
TIME TO FILE A COMPLAINT FOR  
FORFEITURE AND/OR TO OBTAIN AN  
INDICTMENT ALLEGING FORFEITURE**

19  
20 It is hereby stipulated by and between the United States of  
21 America and claimants Sekharith Be and Eileen Phic Lim  
22 ("Claimants"), by and through their respective counsel, as follows:

23 1. On August 30, 2004, Claimants filed a claim, in the  
24 administrative forfeiture proceedings, with the Internal Revenue  
25 Service, Criminal Investigation Division with respect to the  
26 approximately \$22,000.00 in U.S. Currency, the approximately  
27 \$4,248.00 in U.S. Currency with potential collector value and the  
28

1 miscellaneous jewelry and stones (the "property"), which was seized  
2 on or about May 18, 2004.

3       2. The Internal Revenue Service, Criminal Investigation  
4 Division has sent the written notice of intent to forfeit required  
5 by 18 U.S.C. § 983(a)(1)(A) to all known interested parties, the  
6 time has expired for any person to file a claim to the property  
7 under 18 U.S.C. § 983(a)(2)(A)-(E), and no person other than the  
8 Claimants have filed a claim to the property as required by law in  
9 the administrative forfeiture proceeding.

10       3. Under 18 U.S.C. § 983(a)(3)(A), the United States is  
11 required to file a complaint for forfeiture against the property  
12 and/or to obtain an indictment alleging that the property is  
13 subject to forfeiture within 90 days after a claim has been filed  
14 in the administrative forfeiture proceedings, unless the court  
15 extends the deadline for good cause shown or by agreement of the  
16 parties.

17       4. By Stipulation and Order filed October 27, 2004, the  
18 parties stipulated to extend to January 25, 2005, the time in which  
19 the United States is required to file a civil complaint for  
20 forfeiture against the property and/or to obtain an indictment  
21 alleging that the property is subject to forfeiture.

22       5. By Stipulation and Order filed January 11, 2005, the  
23 parties further stipulated to extend to March 25, 2005, the time in  
24 which the United States is required to file a civil complaint for  
25 forfeiture against the property and/or to obtain an indictment  
26 alleging that the property is subject to forfeiture.

6. By Stipulation and Order filed March 24, 2005, the parties further stipulated to extend to May 15, 2005, the time in which the United States is required to file a civil complaint for forfeiture against the property and/or to obtain an indictment alleging that the property is subject to forfeiture.

7. As provided in 18 U.S.C. § 983(a)(3)(A), the parties wish by agreement to further extend to August 15, 2005, the time in which the United States is required to file a civil complaint for forfeiture against the property and/or seek the criminal forfeiture of the property in connection with the parallel criminal proceeding, United States v. Sekharith Be, CR-S-04-220 WBS. that the property is subject to forfeiture.

8. Accordingly, the parties agree that the deadline by which the United States shall be required to file a complaint for forfeiture against the property and/or to obtain an indictment alleging that the property is subject to forfeiture shall be extended to August 15, 2005.

DATED: 5/12/05

McGREGOR W. SCOTT  
United States Attorney

/s/ Courtney J. Linn

COURTNEY J. LINN  
Assistant U.S. Attorney

DATE: \_\_\_\_\_ /s/ Bruce Locke  
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Attorney for Claimants

(original signature retained by  
attorney)

**IT IS SO ORDERED.**

DATE: May 13, 2005

/s/ Frank C. Damrell Jr.  
FRANK C. DAMRELL, JR.  
United States District Judge